

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-Publication of Notice Statement)

Amend Subsection 360(c and d)
Title 14, California Code of Regulations (CCR)
Re: Deer: Additional Hunts

- I. Date of Initial Statement of Reasons: December 21, 2006
- II. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 2, 2007
Location: Monterey, California
 - (b) Discussion Hearing: Date: March 2, 2007
Location: Arcata, California
 - (c) Discussion Hearing: Date: April 13, 2007
Location: Bodega Bay, California
 - (d) Adoption Hearing: Date: April 25, 2007
Location: Teleconference
- III. Description of Regulatory Action:
 - (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:
 1. Modify Season for Additional Hunt G-8

Existing regulations for Additional Hunt G-8 (Fort Hunter Liggett Antlerless Deer Hunt) provide for hunting on Saturdays, Sundays, and the Columbus Day holiday only beginning the first Saturday in October and extending for two consecutive weekends. The Base has specifically requested the season be modified to begin on the Thursday preceding the Columbus Day weekend and run for five consecutive days to accommodate Base operations and other hunt opportunities.

The proposal would modify the season by consolidating a hunt season consisting of two weekends and a holiday into a five consecutive day season in order to accommodate other hunts and Base operations. No

loss of hunter opportunity would result from this action and the proposal is consistent with existing deer herd management plan recommendations.

2. Modify Season and Special Conditions for Additional Hunt G-10

Existing regulations for Additional Hunt G-10 (Camp Pendleton Either-Sex Deer Hunt) provide for hunting on Saturdays, Sundays, Columbus and Veteran's Day, and the day after Thanksgiving, beginning the third Saturday in September and continuing through the Thanksgiving Day weekend. Certain federal holidays occur on weekdays when the Base is normally closed and additional hunter opportunity has been lost. The Base has specifically requested: the season be lengthened by adding two weeks to the beginning of the season; one week to the end of the season; include all holidays and the day after Thanksgiving, in order to provide additional hunter opportunity. In addition, the Base has requested that additional weekdays be included at the discretion of the Commanding Officer for those days when military operations have been suspended or reduced.

The proposal would modify the season to begin on the first Saturday in September and extend through the first Sunday in December; specifically include all holidays; and allow the Commanding Officer discretion, with Department concurrence, to provide additional hunt days on weekdays during the season should military operations be suspended. Special conditions are also adjusted to account for the additional three weeks added to the season. These actions would provide an increase in hunter opportunity as requested by the Base, while maintaining consistency with existing deer herd management plan recommendations.

3. Modify Season for Additional Hunt J-10

Existing regulations for Additional Hunt J-10 (Fort Hunter Liggett Junior Either-Sex Deer Hunt) provide for hunting on Saturdays, Sundays, and the Columbus Day holiday only beginning the first Saturday in October and extending for two consecutive weekends. The Base has specifically requested the season be modified by adding two days to the beginning of the season in order to provide additional junior hunting opportunity.

The proposal would modify the season by adding two days to the beginning of the season (Thursday and Friday). These actions would result in increased hunter opportunity, and are consistent with existing deer herd management plan recommendations.

4. Number of Tags

Existing regulations provide for the number of hunting tags in the Additional Hunts. The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table presented in the Informative Digest.

The proposal provides a range of tag numbers for each hunt from which a final number will be determined, based on the post-winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April.

In early spring, surveys of deer herds are conducted to determine the proportion of fawns that have survived the winter. This information is used in conjunction with the prior year harvest and fall herd composition data to estimate overall herd size, sex and age ratios, and the predicted number of bucks available next season. The number of bucks and does needs to be estimated prior to the hunting season to determine how many surplus bucks will exist over and above the number required to maintain the desired buck ratio objectives stated in the approved deer herd management plans.

The actual tag numbers for each affected hunt will be reflected in the Final Statement of Reasons and will be selected from the range of values provided by this proposal. The number of tags is intended to allow the appropriate level of hunting opportunity and harvest of bucks in the population, while achieving or maintaining the buck ratios at, or near, objective levels set forth in the approved deer herd management plans. These final values for the license tag numbers will be based upon findings from the annual harvest and herd composition counts. However, under circumstances where severe winter conditions adversely effect herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed tag range.

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 203, 220, 460, 3452, 3453, and 4334, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, 207, 458, 459, 460, 3452, 3453, and 4334, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

2007 Draft Environmental Document Regarding Deer Hunting.

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

The Department conducted a public scoping session in Sacramento on October 11, 2006. Public input, discussions and recommendations regarding the environmental document and mammal hunting and trapping regulations were taken at this time.

Additionally, in 2000, the Department of Fish and Game held a total of twenty-three (23) "Deer Stakeholder" meetings throughout the State. The meetings were open to the public and the Department provided information on a variety of deer management strategies and issues including: Deer Assessment Unit (zone complex) planning and tag draw method alternatives. Attendees were asked to participate in a survey and public comment was also received. The Department also conducted four public meetings at which regulation change concepts and specific proposals for mammals, furbearers, including deer were discussed, and additional public comment was received.

While these meetings were conducted prior to the establishment of current and proposed regulations, the concepts and proposals which were derived through these meetings are still being implemented as part of the current year regulatory process.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Modify Season for Additional Hunt G-8

Modify season to include all weekdays. This proposal was considered and rejected because it would not accommodate for military operations which primarily occur on weekdays, resulting in daily hunt cancellations, hunter dissatisfaction and the unnecessary restricting of hunter opportunity.

2. Modify Season and Special Conditions for Additional Hunt G-10

Modify season to include all weekdays. This proposal was considered and rejected because it would not accommodate for military operations which primarily occur on weekdays, resulting in daily hunt cancellations, hunter dissatisfaction and the unnecessary restricting of hunter opportunity.

3. Modify Season for Additional Hunt J-10

Modify season to include all weekdays. This proposal was considered and rejected because it would not accommodate for military operations which primarily occur on weekdays, resulting in daily hunt cancellations, hunter dissatisfaction and the unnecessary restricting of hunter opportunity.

4. Number of Tags

There is no reasonable alternative to the proposed action.

(b) No Change Alternative:

1. Modify Season for Additional Hunt G-8

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current season length and timing would be unresponsive to Base operations and scheduled activities and unnecessarily restrict hunter opportunity.

2. Modify Season and Special Conditions for Additional Hunt G-10

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current season length and timing would be unresponsive to Base operations and scheduled activities and unnecessarily restrict hunter opportunity.

3. Modify Season for Additional Hunt J-10

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current season length and timing would be unresponsive to Base operations and scheduled activities and unnecessarily restrict hunter opportunity.

4. Number of Tags

The no-change alternative was considered and found inadequate to attain the project objectives. Retaining the current number of tags for the hunts listed may not be responsive to changes in the status of the herds. The deer herd management plans specify objective levels for the proportion of bucks in the herds. These ratios are maintained and managed in part by modifying the number of tags. The no-change alternative would not allow management of the desired proportion of bucks stated in the approved deer herd management plans.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and following initial determinations relative to the required statutory categories have been made.

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action modifies three seasons and adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

(c) Cost Impacts on Private Persons:

The agency is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

INFORMATIVE DIGEST (Policy Statement Overview)

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winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

Deer: § 360(c) Additional Hunts					
Tag Allocations					
Hunt	Current	Proposed	Hunt	Current	Proposed
G-1	2,850	500-5,000	M-11	20	20-200
G-3	35	5-50	MA-1	150	20-150
G-6	50	25-100	MA-3	150	20-150
G-7	20 Military *	20 Military *	J-1	25	10-25
G-8	10 Military * 10 Public	10 Military * and 10 Public	J-3	15	15-30
G-9	15 Military * 15 Public	15 Military * 15 Public	J-4	15	15-50
G-10	300 Military *	400 Military *	J-7	15	10-50
G-11	500 Military * and DOD **	500 Military * and DOD **	J-8	15	10-20
G-12	30	10-50	J-9	5	5-10
G-13	300	50-300	J-10	10 Military * 50 Public	10 Military * 75 Public
G-19	25	10-50	J-11	40	10-50
G-21	25	25-100	J-12	10	10-20
G-37	25	25-50	J-13	40	25-100
G-38	300	50-300	J-14	30	15-75
G-39	5	5-150	J-15	10	5-30
M-3	20	10-75	J-16	75	10-75
M-4	5	5-50	J-17	25	5-25
M-5	15	5-50	J-18	75	10-75
M-6	80	25-100	J-19	25	10-40
M-7	150	50-150	J-20	20	5-20
M-8	20	5-50	J-21	50	20-80
M-9	15	5-100			

* Specific numbers of tags are provided for military hunts through a system

which restricts hunter access to desired levels and ensures biologically conservative hunting programs.

****** *DOD = Department of Defense*